reconsideration of the above-identified application in light of the amendments and remarks presented in the instant Amendment.

IN THE CLAIMS

Please **cancel** claims 2-6 without prejudice.

Please **amend** claim 1 with the following rewritten claim:

1. (AMENDED) An isolated nucleic acid comprising a PEG-3 promoter comprising the nucleotide sequence beginning with the guanosine (G) at position 1507 and ending with the cytosine (C) at position 1970 of SEQ ID NO:1.

Please **amend** claim 7 with the following rewritten claim:

7. (AMENDED) The nucleic acid of claim 1, wherein the nucleic acid is operably linked to a gene of interest.

Please **amend** claim 11 with the following rewritten claim:

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11. (AMENDED) A vector comprising the nucleic acid of any one of claims 1 and 7 to 10.

Please **add** new claim 38 as follows:

38. (NEW) An isolated nucleic acid comprising a PEG-3 promoter comprising:

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(i) a PEA3 protein binding sequence consisting of the nucleotide sequence beginning with the thymidine (T) at position 1672 and ending with the thymidine (T) at position 1677 of SEQ ID NO:1,

(ii) a TATA sequence consisting of the nucleotide sequence beginning with the thymidine (T) at position 1748 and ending with the adenosine (A) at position 1753 of SEQ ID NO:1, and

(iii) an AP1 protein binding sequence consisting of the nucleotide sequence beginning with the thymidine (T) at position 1781 and ending with the adenosine (A) at position 1787 of SEQ ID NO:1,

wherein said PEG-3 promoter is at least about 464 nucleotides long and has PEG-3 promoter activity.

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[Please **add** new claim 39 as follows:]

39. (NEW) An isolated nucleic acid comprising a PEG-3 promoter comprising:

(i) a PEA3 protein binding sequence consisting of the nucleotide sequence beginning with the thymidine (T) at position 1672 and ending with the thymidine (T) at position 1677 of SEQ ID NO:1,

(ii) a TATA sequence consisting of the nucleotide sequence beginning with the thymidine (T) at position 1748 and ending with the adenosine (A) at position 1753 of SEQ ID NO:1, and

(iii) an AP1 protein binding sequence consisting of the nucleotide sequence beginning with the thymidine (T) at position 1781 and ending with the adenosine (A) at position 1787 of SEQ ID NO:1,